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SENATE BILL 264 By
Harper

HOUSE BILL 782
By Briley

AN ACT to amend Tennessee Code Annotated, Title 71, relative to
eligibility for public assistance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-154(k), is amended by
designating the existing language as subdivision (1) and by adding the following as a new
subdivision (2):

(2)

(A) Pursuant to the option granted the state by 21 U.S.C. § 862a(d), an
individual convicted under federal or state law of a felony involving possession,
use or distribution of a controlled substance shall be exempt from the prohibition
contained in 21 U.S.C. § 862a(a) against eligibility for Families First program
benefits for such convictions, if such person, as determined by the department:

(i) is currently in treatment, is actively seeking treatment, or has
satisfactorily completed treatment for substance abuse; or

(ii) is complying with, or has already complied with, all obligations imposed by the criminal court, including any substance abuse treatment obligations.

(B) Eligibility based upon the factors in subdivision (A) must be based upon documentary or other evidence satisfactory to the department, and the applicant must meet all other factors of program eligibility.

SECTION 2. Tennessee Code Annotated, Section 71-5-308, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b)

(1) Pursuant to the option granted the state by 21 U.S.C. § 862a(d), an individual convicted under federal or state law of a felony involving possession, use or distribution of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. § 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department:

(A) is currently in treatment, is actively seeking treatment, or has satisfactorily completed treatment for substance abuse; or

(B) is complying with, or has already complied with, all obligations imposed by the criminal court, including any substance abuse treatment obligations.

(2) Eligibility based upon the factors in subdivision (1) must be based upon documentary or other evidence satisfactory to the department, and the applicant must meet all other factors for program eligibility.

SECTION 3 . This act shall take effect on July 1, 2001, the public welfare requiring it.